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RQ-824

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JUN 01 1995
Opinion Committee

May 25, 1995

The Honorable Dan Morales
Attorney General of Texas
209 West 14th Street & Colorado St.
Austin, Texas 78711-2548

SJS

FILE # *ML-34012-95*

I.D. # *34012*

Dear General Morales:

I am writing to request an opinion on the permissive use of funds collected from sales tax generated under Section 4B of Article 5190.6 Vernon's Revised Civil Statutes [see the attachment].

This section provides for the imposition of an additional sales tax and specifies uses which can be made of these funds. However, it is unclear whether such funds can be used for the installation of sewer facilities in a residential area which may be considered a "public safety facility." A "residential area" is not included among the list of permissive use of Section 4B funds. In this regards, I am seeking your opinion on whether a municipality may use 4B sales tax funds to pay for the construction of sanitary sewer lines.

I would appreciate you immediate reply to this request.

Sincerely,

A handwritten signature in cursive script that reads "Al Edwards".

Representative Al Edwards

Enclosure